

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c) Jeffrey E. Jenkins, Esquire Jenkins & Clayman 412 White Horse Pike Audubon, NJ 08106 (856) 546-9696 Attorney for Debtor	
In Re: Susan Smith debtor	Case No.: 17-10916 Judge: JNP Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO
☐ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**
☒ **TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT**

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by _____, creditor.

A hearing has been scheduled for _____

OR

- ☒ Motion to Dismiss filed by the Standing Chapter 13 Trustee, Isabel C. Balboa.

A hearing has been scheduled for October 18, 2019, at 10:00am.

- ☐ Certification of Default filed by _____, creditor

I am requesting a hearing be scheduled in this matter.

OR

- ☐ Certification of Default filed by Standing Chapter 13 Trustee.

I am requesting a hearing be scheduled in this matter.

2. I am objecting to the above for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$_____, but have not been accounted for. Documentation in support of attached hereto.
- ☐ Payments have not been made for the following reasons and debtor proposes repayment as follows **explain your answer**): _____

☒ Other (**explain your answer**): In my Chapter 13 case, the Trustee has filed a motion to dismiss my case solely because a modified plan wasn't filed and Schedule J was not amended in accordance with the loan modification motion order. Both of those things have now been done. Accordingly, I ask that the Trustee withdraw this motion.

- _____
3. This Certification is being made in an effort to resolve the issues raised by the creditor in this motion.
4. I certify under penalty of perjury that the foregoing is true and correct.

Date: 10/04/2019 /s/ Susan Smith
Susan Smith, debtor

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed the Motion or Certification of Default will be deemed uncontested